

Judicial Branch

Analyst: Burns

Historical Summary

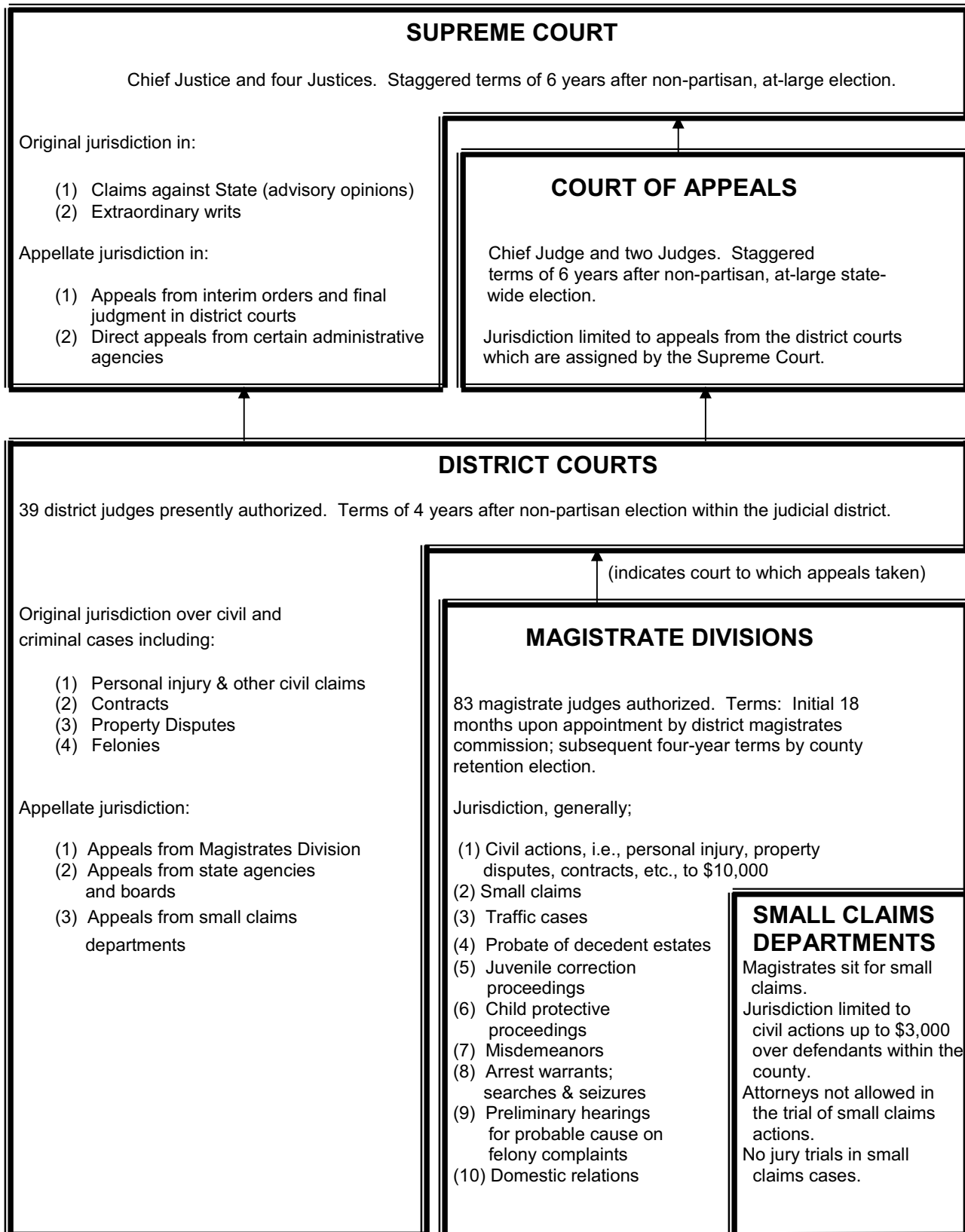
OPERATING BUDGET	FY 2004 Total App	FY 2004 Actual	FY 2005 Approp	FY 2006 Request	FY 2006 Gov Rec
BY PROGRAM					
Supreme Court	4,229,900	4,722,200	5,819,000	5,919,400	5,919,400
Law Library	662,500	467,000	497,300	506,400	506,400
District Courts	11,060,600	10,148,100	10,857,400	11,231,100	11,231,100
Magistrates Division	10,659,600	10,662,900	10,916,400	11,193,300	11,193,300
Judicial Council	111,300	110,500	111,300	112,700	112,700
Court of Appeals	1,115,500	1,109,400	1,151,300	1,170,200	1,170,200
Guardian Ad Litem Account	441,900	441,900	447,500	515,600	515,600
Snake River Basin Adjudication	783,700	777,500	826,100	842,800	842,800
Total:	29,065,000	28,439,500	30,626,300	31,491,500	31,491,500
BY FUND CATEGORY					
General	24,474,000	24,455,100	25,182,500	26,029,100	26,029,100
Dedicated	4,172,200	2,999,800	3,942,800	3,940,800	3,940,800
Federal	418,800	984,600	1,501,000	1,521,600	1,521,600
Total:	29,065,000	28,439,500	30,626,300	31,491,500	31,491,500
Percent Change:		(2.2%)	7.7%	2.8%	2.8%
BY OBJECT OF EXPENDITURE					
Personnel Costs	0	21,928,000	0	0	0
Operating Expenditures	0	5,539,400	0	0	0
Capital Outlay	0	395,000	0	0	0
Trustee/Benefit	0	577,100	0	0	0
Lump Sum	29,065,000	0	30,626,300	31,491,500	31,491,500
Total:	29,065,000	28,439,500	30,626,300	31,491,500	31,491,500
Full-Time Positions (FTP)	247.00	247.00	247.00	247.00	247.00

Department Description

The Judicial Branch is made up of the following programs:

- 1) The Supreme Court of Idaho is the state's court of last resort. The Court hears appeals from final decisions of the District Court, as well as from orders of the PUC and the Industrial Commission.
- 2) The Law Library is the state repository for official publications received from other states and the federal government.
- 3) The District Courts have original jurisdiction over all civil and criminal cases, and appeals from the Magistrate Division, state agencies and boards.
- 4) The Magistrate Division has jurisdiction over cases involving domestic violence, domestic relations, juvenile cases, and civil cases under \$10,000, felony preliminary hearings, criminal misdemeanors, and infractions.
- 5) The Idaho Judicial Council is empowered by statute to nominate persons to the Governor for appointment to vacancies on the Supreme Court, Court of Appeals, and District Courts and make recommendations to the Supreme Court for the removal, discipline and retirement of judicial officers.
- 6) The Court of Appeals provides another court to share the appellate caseload with the Idaho Supreme Court. The court has jurisdiction to hear and decide all cases assigned to it by the Supreme Court; except cases invoking the Supreme Court's original jurisdiction, appeals from the Industrial Commission, PUC, and death penalty cases.
- 7) Guardian Ad Litem grants are awarded to Court Appointed Special Advocate (CASA) programs to recruit, train and coordinate volunteers to act as court appointed special advocates for abused, neglected or abandoned children under the Child Protective Act.
- 8) The Snake River Basin Adjudication is a court process established to inventory all surface and ground water rights in the Snake River drainage.

IDAHO'S INTEGRATED COURT STRUCTURE



Judicial Branch

Agency Profile

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Sources of Funds

	<u>FY 2004 Actual</u>	<u>Percent of Total</u>	<u>FY 2005 Estimate</u>	<u>FY 2006 Request</u>
1. General Fund (0001-00)	24,455,100	86%	25,246,700	26,031,700
The General Fund consists of, "moneys received into the treasury and not specially appropriated to any other fund." The fund sources are individual income tax, corporate income tax, sales tax, cigarette tax, beer tax, wine tax, liquor surcharge, kilowatt hour tax, mine license tax, Treasurer's interest on investments of certain idle state funds, court fees and fines, insurance premium tax, sale of alcoholic beverage licenses, unclaimed property, articles of incorporation and uniform commercial code filing fees, estate and transfer tax, and other miscellaneous sources.				
2. Guardian Ad Litem (0239-00)	26,600	0%	16,600	0
This fund consists of moneys transferred from the state General Fund, contributions, and interest earnings. All moneys are distributed to guardian ad litem programs within the judicial districts in the state and to pay the administrative expenses of a grant administrator selected by the Supreme Court. A guardian ad litem program is designed to recruit, train and coordinate volunteer persons to serve as guardians ad litem for abused, neglected or abandoned children.				
3. ISTARS Technology (0314-00)	1,481,900	5%	1,811,100	1,824,300
Funding comes from a five dollar fee on all criminal and infraction offenses, and five dollars of the filing fee and appearance fee in civil cases. Subject to appropriation, these moneys in this fund are used to support and maintain the Trial Court Automated Records System (ISTARS) technology program. ISTARS is the statewide automation of court records, information, and operations to manage judicial caseloads and timely transmission of court information to law enforcement, transportation and fish and game.				
4. Drug & Family Court Services (0340-00)	682,000	2%	1,533,200	1,800,000
Funded from a 2% surcharge from the sale of liquor. These funds are subject to appropriation and are used by the Supreme Court for the operation of drug courts and to assist children and families in the courts.				
5. Liquor Control (0418-00)	440,000	2%	0	0
Included in the Liquor Fund are all revenues derived from the sale of alcoholic beverages, excise taxes, licenses, permits, fees, profits on sales, sales of equipment and supplies. These funds were appropriated on a one-time basis following General Fund reductions to support the Family Court and Drug Court operations in FY 2004 until the 2% surcharge on the sale of liquor could be collected and transferred to the Judicial Branch.				
5. Millennium Income (0499-00)	270,000	1%	270,000	0
Consists of distributions from the Idaho Millennium Fund to support youth courts and status offender services.				
6. Miscellaneous Revenue (0349-00)	99,300	0%	312,500	316,500
Receipts from sales of publications and computer aided legal research.				
5. Federal Grants (0348-00)	984,600	3%	1,501,400	1,521,600
Funding from federal agencies to support drug courts, drug court evaluations, among other things.				
Total	28,439,500	100%	30,691,500	31,494,100

Judicial Branch

Agency Profile

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Selected Measures

	<u>CY 2000</u>	<u>CY 2001</u>	<u>CY 2002</u>	<u>CY 2003</u>
1. Supreme Court				
Average no. of days to decide civil appeals.	741	646	702	610
Ave. no. of days to decide criminal appeals.	709	622	533	423
Average no. of days to decide agency appeals.	574	587	561	506
Average number of days for all appeals.	709	632	669	581
Appeals added/transferred.	377	397	401	426
Appeals disposed of.	391	360	450	422
Appeals pending at year-end in Supreme Court.	147	162	112	112
Appeals pending at year-end in Court of Appeals.	227	200	185	176
Appeals pending at year-end in unassigned appeals.	752	663	735	669
Total appeals pending at year-end.	1,126	1,025	1,032	957
2. District Courts				
Number of cases filed in District 1.	2,644	2,531	3,066	3,505
Number of cases filed in District 2.	1,101	1,213	1,048	1,094
Number of cases filed in District 3.	2,592	3,024	3,231	3,397
Number of cases filed in District 4.	4,715	5,082	5,267	5,230
Number of cases filed in District 5.	2,445	2,733	2,572	2,580
Number of cases filed in District 6.	1,891	1,794	1,542	1,863
Number of cases filed in District 7.	1,993	2,156	2,383	2,342
Total cases filed.	17,381	18,533	19,109	20,019
Number of cases disposed.	17,049	17,694	20,258	22,718
3. Magistrates Division				
Number of cases filed in District 1.	66,415	57,375	61,614	62,752
Number of cases filed in District 2.	36,487	34,882	30,541	30,049
Number of cases filed in District 3.	59,374	62,003	63,727	63,266
Number of cases filed in District 4.	131,781	139,879	135,013	139,355
Number of cases filed in District 5.	65,582	65,214	62,285	54,919
Number of cases filed in District 6.	55,517	51,835	43,965	42,298
Number of cases filed in District 7.	66,570	71,560	71,081	66,858
Total cases filed.	481,726	482,748	468,226	459,497
Number of cases disposed.	478,281	502,067	498,152	512,954
4. Court of Appeals				
Civil appeals filed.	71	43	44	41
Criminal appeals filed.	356	518	447	561
Total Number of Appeals.	427	561	491	602
Cases disposed.	389	588	507	609
Total cases pending at year-end.	227	200	185	176

Judicial Branch

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Comparative Summary

Decision Unit	Agency Request			Governor's Rec		
	FTP	General	Total	FTP	General	Total
FY 2005 Original Appropriation	247.00	25,182,500	30,626,300	247.00	25,182,500	30,626,300
HB 805 One-time 1% Salary Increase	0.00	64,200	65,200	0.00	64,200	65,200
FY 2005 Total Appropriation	247.00	25,246,700	30,691,500	247.00	25,246,700	30,691,500
Non-Cognizable Funds and Transfers	0.00	0	0	0.00	0	0
FY 2005 Estimated Expenditures	247.00	25,246,700	30,691,500	247.00	25,246,700	30,691,500
Removal of One-Time Expenditures	0.00	(64,200)	(351,800)	0.00	(64,200)	(351,800)
FY 2006 Base	247.00	25,182,500	30,339,700	247.00	25,182,500	30,339,700
Benefit Costs	0.00	263,200	265,000	0.00	263,200	265,000
Inflationary Adjustments	0.00	25,600	81,300	0.00	25,600	81,300
Nonstandard Adjustments	0.00	(5,200)	241,700	0.00	(5,200)	241,700
Change in Employee Compensation	0.00	54,400	55,200	0.00	54,400	55,200
FY 2006 Program Maintenance	247.00	25,520,500	30,982,900	247.00	25,520,500	30,982,900
1. Senior Judges	0.00	279,500	279,500	0.00	279,500	279,500
2. Regional Court Interpreters	0.00	150,000	150,000	0.00	150,000	150,000
3. Guardian Ad Litem	0.00	79,100	79,100	0.00	79,100	79,100
Lump Sum or Other Adjustments	0.00	0	0	0.00	0	0
FY 2006 Total	247.00	26,029,100	31,491,500	247.00	26,029,100	31,491,500
Change from Original Appropriation	0.00	846,600	865,200	0.00	846,600	865,200
% Change from Original Appropriation		3.4%	2.8%		3.4%	2.8%

Judicial Branch

Analyst: Burns

Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
FY 2005 Original Appropriation					
	247.00	25,182,500	3,942,800	1,501,000	30,626,300

HB 805 One-time 1% Salary Increase

Agency Request	0.00	64,200	600	400	65,200
Governor's Recommendation	0.00	64,200	600	400	65,200

FY 2005 Total Appropriation					
Agency Request	247.00	25,246,700	3,943,400	1,501,400	30,691,500
Governor's Recommendation	247.00	25,246,700	3,943,400	1,501,400	30,691,500

Non-Cognizable Funds and Transfers

Lump sum appropriation adjustments that net to zero.

Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0

FY 2005 Estimated Expenditures					
Agency Request	247.00	25,246,700	3,943,400	1,501,400	30,691,500
Governor's Recommendation	247.00	25,246,700	3,943,400	1,501,400	30,691,500

Removal of One-Time Expenditures

Remove funding provided for one-time items, including \$270,000 from the Millennium Income Fund and \$16,600 from the Guardian Ad Litem Fund.

Agency Request	0.00	(64,200)	(287,200)	(400)	(351,800)
Governor's Recommendation	0.00	(64,200)	(287,200)	(400)	(351,800)

FY 2006 Base					
Agency Request	247.00	25,182,500	3,656,200	1,501,000	30,339,700
Governor's Recommendation	247.00	25,182,500	3,656,200	1,501,000	30,339,700

Benefit Costs

Includes the employer-paid portion of estimated changes in employee benefit costs. The two biggest factors are health insurance rates and retirement rates. Health insurance is projected to increase by 9.7% or \$632 per position. Retirement rates are scheduled to increase by 5.9% from 10.39% to 11% of salary for regular employees and by 5.7% from 10.73% to 11.34% of salary for police and firefighters. Other benefit changes include a reduction in unemployment insurance rates, a reduction in Division of Human Resources rates for classified employees, and an increase in workers compensation rates.

The Judicial Branch is requesting \$252,500 in personnel costs to cover these benefits, plus another \$12,500 in trustee and benefit payments to cover costs associated with retiring judges.

Agency Request	0.00	263,200	1,000	800	265,000
Governor's Recommendation	0.00	263,200	1,000	800	265,000

Inflationary Adjustments

Includes a general inflationary increase of 1.3% in operating expenditures and trustee/benefit payments.

Agency Request	0.00	25,600	36,200	19,500	81,300
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The general inflationary request is transmitted to the Legislature as received by the Governor. Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	25,600	36,200	19,500	81,300
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Judicial Branch

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
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Nonstandard Adjustments

The Statewide Cost Allocation Plan assesses state agencies for their actual use of Attorney General, State Controller and State Treasurer services. Also included are changes in property and casualty insurance premiums and the cost of office space leased to state agencies by the Department of Administration. Risk management fees are reduced by \$1,600 and State Controller fees by \$3,800. State Treasurer fees are increased by \$200. Additional spending authority is also requested from the Drug Court and Family Court Services Fund to facilitate growth in revenues and to allow further expansion of drug courts across the state.

Agency Request	0.00	(5,200)	246,900	0	241,700
Governor's Recommendation	0.00	(5,200)	246,900	0	241,700

Change in Employee Compensation

Reflects the cost of a 1% salary increase for permanent and group positions, excluding members of the judiciary.

Agency Request	0.00	54,400	500	300	55,200
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The Judicial Branch requested a 1% CEC (placeholder) in compliance with the Budget Development Manual. Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	54,400	500	300	55,200
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FY 2006 Program Maintenance

Agency Request	247.00	25,520,500	3,940,800	1,521,600	30,982,900
Governor's Recommendation	247.00	25,520,500	3,940,800	1,521,600	30,982,900

1. Senior Judges

Magistrates Division

Funding is requested for additional senior judge days to resolve disputes fairly and within the time standards adopted by the Supreme Court. A cadre of well-respected, experienced senior retired judges is available to be assigned to courts where the caseload needs are the greatest, or emergency circumstances exist. This level of funding will permit the Idaho courts to continue to resolve an increasing number of cases timely, and pursue further court innovations, without adding full-time judgeships.

Agency Request	0.00	279,500	0	0	279,500
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Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	279,500	0	0	279,500
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2. Regional Court Interpreters

Magistrates Division

The Court believes that a regional strategy to attract certified court interpreters will allow the just and speedy resolution of criminal court cases involving non-English speaking defendants. Funding is requested to distribute \$30,000 to five of seven Judicial Districts to contract for certified interpreters. This also would permit counties to cost share and contribute to the funding in order to ensure that certified and qualified court interpreters are available for all proceedings as required.

Agency Request	0.00	150,000	0	0	150,000
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Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	150,000	0	0	150,000
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3. Guardian Ad Litem

Guardian Ad Litem Account

Provides additional resources for special appointed court advocates.

Agency Request	0.00	79,100	0	0	79,100
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Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	79,100	0	0	79,100
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Judicial Branch

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
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Lump Sum or Other Adjustments

A lump sum appropriation removes all restrictions that limit the transfer of moneys among Personnel Costs, Operating Expenses, Capital Outlay and Trustee/Benefit Payments. As an exception to state budget laws, a lump sum appropriation requires specific legislative authorization and approval per Section 67-3508, Idaho Code.

Agency Request	0.00	0	0	0	0
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Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	0	0	0	0
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FY 2006 Total					
Agency Request	247.00	26,029,100	3,940,800	1,521,600	31,491,500
Governor's Recommendation	247.00	26,029,100	3,940,800	1,521,600	31,491,500

Agency Request

Change from Original App	0.00	846,600	(2,000)	20,600	865,200
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% Change from Original App	0.0%	3.4%	(0.1%)	1.4%	2.8%
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Governor's Recommendation

Change from Original App	0.00	846,600	(2,000)	20,600	865,200
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% Change from Original App	0.0%	3.4%	(0.1%)	1.4%	2.8%
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